



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

DATE: May 28, 2004

TO: Patent Examining Corps

FROM: Esther M. Kepplinger
Deputy Commissioner for Patent Operations

SUBJECT: Electronic Access to Applicants of Cited U.S. Patent References in Office Actions

As we continue to move towards a fully electronic environment, beginning in June 2004, the USPTO will begin the phase-in of its E-Patent Reference program. This program: (1) provides downloading capability of the U.S. patents and U.S. patent application publications cited in Office actions via the E-Patent Reference feature of the Office's PAIR system; and (2) ceases mailing paper copies of U.S. patents and U.S. patent application publications with office actions except for citations made during the international stage of an international application under PCT.

In accordance with the schedule below, paper copies of cited U.S. patents and U.S. patent application publications will cease to be mailed to applicants with Office actions in the indicated TCs. Paper copies of foreign patents and non-patent literature will continue to be included with office actions.

Schedule

June 2004	TCs 1600, 1700, 2800 and 2900
July 2004	TCs 3600 and 3700
August 2004	TCs 2100 and 2600

When answering inquiries about U.S. patents and U.S. patent application publications not supplied with Office actions, examiners could advise applicants that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. Should you receive inquiries about the use of the Office's PAIR system, applicants may be referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

Once a Technology Center has implemented this e-Reference initiative, requests to restart a period for response due to a missing U.S. patent or patent application publications should not be granted. For requests to restart a period for response due to other reasons, MPEP 710.06 should be consulted.